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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,111	11/21/2001	Salil V. Pradhan	1509-245	1301

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EXAMINER
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MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
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2144

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

# Office Action Summary

Application No.

09/989,111

Applicant(s)

PRADHAN ET AL.

Examiner

Joseph Maniwang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 19 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-14,16-20 and 22-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-14,16-20 and 22-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

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### **DETAILED ACTION**

1. This Action is in regards to the Amendment and Response received on 19 July 2006.

#### ***Reassigning an application to another Examiner***

2. This application has been reassigned to another examiner. The examiner has carefully evaluated the instant claims in view of the prior art.

#### ***Response to Arguments***

3. Applicant's arguments and amendments filed on 30 March 2001 have been carefully considered but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the following new grounds of rejection as explained here below, necessitated by Applicant's substantial amendment (i.e., *by responding to the aggregated first and second data sets... cellular data transfer protocol*) to the claims which significantly affected the scope thereof.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be **obtained** though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1, 3, 5-14, 16-20 22 and 24-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 2003/0165128 by Sisodia et al in view of US 2002/0107830 by Nanja and in further view of Nahi et al. (Nahi), U.S. Patent No. 6,166,734.

6. In claim 1, Sisodia teaches about a method of generating a dynamically updated web page through use of first "portable device" and second network elements "remote computer" communicating over a short range wireless network "Bluetooth" comprising the steps of (Para 8, lines 11-23) (Para 21, lines 17-22) (Para 11, lines 15-30): (i) passing a first data set including web page data from the first network element to the second network element over the short range wireless network via a wireless network connection (via wireless access point) (Para 8, lines 11-23) (Para 33, lines 1-15) (Para 41, lines 1-12); (ii) passing a second data set including web page data from the second network element to the first network element over the short range wireless network via a wireless network connection (via wireless access point) (Para 8, lines 11-23) (Para 33, lines 1-15) (Para 41, lines 1-12); and but does explicitly teach about aggregating the first and second data sets to form a web page that is dynamically updated to represent the information included in the first and second data sets (Para 33, lines 1-15) (Para 41, lines 1-12).

7. Sisodia teaches about the different possible use of a wireless device, which includes accessing the world wide web (Para 21, lines 16-29). US 2002/0107830 by Nanja teaches about an improve way of accessing the world wide web using a wireless device using a web data aggregator application (Para 5, line 1- Para 7, lines 2) (Para 15, lines 1-9). Nanja teaches the cost effective approach by using an aggregator, which reduces the number of

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costly connections that is associated with the method of Sisodia invention (Para 18, lines 1-13).

8. It would have been obvious at the time of the invention for some one of ordinary skill to improve on Sisodia invention by incorporating the cost effective method of Nanja invention in order to allow more information to be display in less time at a lower cost when accessing the world wide web while using a wireless device. However, Nanja-Sisodia does not explicitly disclose the short range wireless network connections having a range that is considerably shorter than cellular data transfer protocols and a considerably higher data transfer rate than cellular data transfer protocols.

9. In the same field of endeavor, Nahi discloses the short range wireless network connections having a range that is considerably shorter than cellular data transfer protocols and a considerably higher data transfer rate than cellular data transfer protocols (Col. 3, 61-65).

10. It would have been obvious at the time the invention was made for some one of ordinary skill to improve on Nanja-Sisodia with the teaching of Nahi.

11. In claim 3, Sisodia combined with Nanja, teaches about a method of claim 1 further including the steps of polling by at least the first network element; ascertaining if there is a network element within the short range wireless network connection range by responding to the polling; and causing said network element to connect to the short range wireless network and contribute information to the networked information resource as it connects to the short range wireless network (Sisodia Para 31, lines 12-18) (Sisodia Pam 37, lines 1-12). (The polling feature is a part of the bluetooth specification).

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12. In claim 5, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1 further comprising storing a script "software applet" for a web page on at least one of the network elements (Sisodia Para 33, lines 1-16).

13. In claim 6, Sisodia combined with Nanja-Nahi, teaches about a method of either of claim 1 further comprising the step of accessing the web page via a graphical user interface "browser" (Sisodia Para 33, lines 1-16).

14. In claim 7, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1 further comprising the step of routing the passage of data between the first and second network elements through the third network element "access point" (Sisodia Para 41, lines 1-13).

15. In claim 8, Sisodia combined with Nanja-Nahi, teaches about a method of claim 7 further comprising accessing the networked information resource via the third network element, which forms an access point (Sisodia Para 41, lines 1-13).

16. In claim 9, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1, further comprising providing a server (Fig 1, 111) in the form of any one of the network elements (Sisodia Pam 19, lines 11-15).

17. In claim 10, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1 further comprising restricting access to some or all of the data stored on any one of the network elements by any other of the network elements (Sisodia Pam 46, lines 1-7).

18. In claim 11, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1, further comprising the step of broadcasting a network address associated with the web page from a beacon at a first location (Fig 1, 111) (Sisodia Para 21, lines 16-29) (Sisodia Pam 45,

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lines 1-8). (IEEE 802.11 b requires a system identification number (SID) which is the broadcast beacon).

19. In claim 12, Sisodia combined with Nanja-Nahi, teaches about a method of claim 10, wherein the network address is in the form of a URL (Sisodia Para 11, lines 25-35) (Sisodia Para 21, lines 17-22).

20. In claim 13, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1 further comprising the step of broadcasting the network address via a second beacon at a second location (Fig 1, 125), the second location having an access point connected to the network address (Sisodia Para 20, lines 1-6).

21. In claim 14, Sisodia combined with Nanja-Nahi, teaches about a method of claim 1 wherein at least one of the first and second network elements in the form of a mobile telecommunications device (Sisodia Para 17, lines 1-11).

22. In claim 16, Sisodia combined with Nanja, teaches about a method of claim 1 wherein at least one of the first and second network elements include a long range, typically cellular, transceiver therein (Sisodia Para 11, lines 7-17).

23. In claim 17, Sisodia combined with Nanja-Nahi, teaches about a method of claim 15, further comprising the step of accessing the networked information resource via a cellular transceiver associated with another network element (Sisodia Para 20, lines 1-12).

24. Claim 18 is the system for the method of claim 1 and is rejected in the same way.

25. In claim 19, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18 wherein the at least first network element, is arrange to provide information to the

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networked information resource via at least one of the wireless network connections

(Sisodia Para 41, lines 1-1.3) (Sisodia Para 43, lines 1-5).

26. In claim 20, Sisodia combined with Nanja-Nahi, teaches about a system of claim 19, wherein the information is provided in response to a request from the at least second network element (Sisodia Para 41, lines 1-13) (Sisodia Para 43, lines 1-5). (In file sharing action of requesting and responding have to occur for it to be possible).

27. In claim 22, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18, wherein at least one of the first and second network elements is mobile telecommunications device (Sisodia Para 17, lines 1-11).

28. In claim 24, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18, wherein at least one of the wireless network connections is either an infra-red or a radio-frequency connection (Sisodia Para 31, lines 12-19).

29. In claim 25, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18 wherein further including a third network element "access point" (Sisodia Para 41, lines 1-13).

30. In claim 26, Sisodia combined with Nanja-Nahi, teaches about a system of claim 25 wherein the third network element includes a transceiver (Fig 3, 330).

31. In claim 27, Sisodia combined with Nanja-Nahi, teaches about a system of claim 25 wherein the third network element is arrange to mediate the passage of the information between the first and second network elements (Sisodia Para 41, lines 1-13).

32. In claim 28, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18 further including a server (Fig 1, 111).



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33. In claim 29, Sisodia combined with Nanja-Nahi, teaches about a system of claim 28, wherein at least one of the network elements acts as the server (Sisodia Para 17, lines 1-15). (Access point acts the role of a server and a client when in operation).

34. In claim 30, Sisodia combined with Nanja-Nahi, teaches about a system of claim 28 wherein the server is arranged to store a script for the web page (Sisodia Para 33, lines 9-16).

35. In claim 31, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18 further including a beacon for broadcastings a network address associated with the networked information resource at a first location (Sisodia Para 45, lines 1-8). (IEEE 802.11 b requires a system identification number (SID) which is the broadcast beacon).

36. In claim 32, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18 further including an access point from which the networked information resource can be accessed (Sisodia Para 19, lines 11-15).

37. In claim 33, Sisodia combined with Nanja-Nahi, teaches about a system of claim 32- wherein the system comprises a server (Fig 1, 111) and wherein the access point (Fig 1, 101) is arranged to couple a signal including web page data to the server (Sisodia Para 18, lines 1-15).

38. In claim 34, Sisodia combined with Nanja-Nahi, teaches about a system of claim 32 wherein a second beacon is arranged to broadcast the network address at a second location and a second access point is arranged to couple a signal including web page data to the network address corresponding to the networked information resource (Sisodia Para 20, lines 1-7) (Sisodia Para 21, lines 17-23).

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39. In claim 35, Sisodia combined with Nanja-Nahi, teaches about a system of claim 18 further including an access filter, for restricting access to data stored on any one of the network elements by any other of the network elements (Sisodia Para 46, lines 1-7).

***Conclusion***

40. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

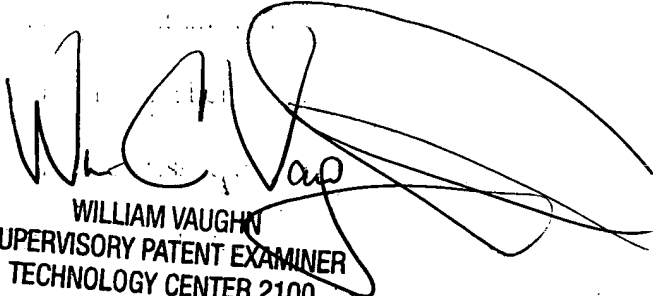
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Maniwang whose telephone number is (571) 272-3928. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William C. Vaughn Jr. can be reached on (571)272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent

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